

CALIFORNIA LEGISLATURE

Assembly Utilities and Commerce Committee

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INTRODUCTION

This publication is a comprehensive collection of summaries for bills that the Assembly Utilities and Commerce considered during the 2015 legislative year. This report also contains bills that never made it out of the Senate, as well as bills that were assigned to other Assembly policy committees.

Each summary includes the final status of the bill in italics. For your convenience, bills that the Legislature passed and the Governor signed into law are listed along with their chapter numbers. In general, chaptered legislation will go into effect on January 1, 2016. Bills that contain an urgency clause (not noted in this document) took effect immediately upon the Governor's signature.

The committee uses the following abbreviations throughout this summary:

CARB (California Air Resources Board)
CAISO (California Independent System Operator)
CEC (California Energy Commission)
CPUC (California Public Utilities Commission)
CRI (Color Rendering Index)
GHG (Greenhouse Gas)
IOU (Investor-Owned Utility)
TNC (Transportation Network Company)

The Assembly Utilities and Commerce Committee staff remains at your disposal to answer any questions regarding the content of this publication.

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Assembly Committee on Utilities and Commerce

2015 Legislative Summary

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Administrative

AB 1119 (Rendon) – Public utilities: municipal corporations: rights of way.

Provides that a county has the right to require an agreement on the terms and conditions for a proposed utility infrastructure project that is owned, constructed, and operated by a municipal corporation within unincorporated county territory.

Status: Signed into law. Chapter 670, Statutes of 2015.

AB 1266 (Gonzalez) – Electrical and gas corporations: excess compensation.

Prohibits an electrical or gas corporation from recovering from ratepayers' expenses for excess compensation paid to an officer of the utility for five years following a triggering event, unless approved by the CPUC.

Status: Signed into law. Chapter 599, Statutes of 2015.

AB 1524 (Committee on Utilities and Commerce) – Electricity: energy crisis litigation.

Extends by two years the authority of the Attorney General to represent the Department of Finance and to exercise the powers of the now-defunct Electricity Oversight Board in any litigation related to the 2000 to 2002 energy crisis.

Status: Signed into law. Chapter 382, Statutes of 2015.

AB 1525 (Committee on Utilities and Commerce) – Electrical restructuring.

Deletes an obsolete section of statute concerning establishment of the Fuel Price Index Mechanism to enable the transition to a competitive energy market.

Status: Signed into law. Chapter 135, Statutes of 2015.

SB 631 (Hueso) – Public Utilities Commission: fees.

Updates the fee for filing a Certificate of Public Convenience and Necessity with the CPUC from \$75 to \$500.

Status: Signed into law. Chapter 237, Statutes of 2015.

SB 693 (Hueso) – State Energy Resources Conservation and Development Commission: qualifications: conflicts of interest.

Increases from \$10,000 to \$50,000 the maximum monetary penalty for violation of the conflict-of-interest and incompatible-activities provisions of the statute that created the CEC.

Status: Assembly-In Committee Process – Utilities and Commerce.

CPUC Reform

AB 825 (Rendon, Mark Stone) – Public Utilities Commission.

Proposes a suite of reforms of the CPUC largely directed at increased transparency of the activities of the agency, including requiring the California State Auditor's Office to appoint an Inspector General within its office for the CPUC, expanding the roles and responsibilities of the CPUC public advisor, specifying additional requirements of commissioners, and increased transparency of electric utilities' procurement, among others.

Status: Vetoed by Governor.

AB 895 (Rendon) – Utility rate refunds: energy crisis litigation.

Requires proceeds of any claims arising out of the 2000 to 2002 energy crisis to be monetary and deposited into the Ratepayer Relief Fund to be appropriated for the benefit of ratepayers, and provides that actions to enforce the California Public Utility Commission's process for handling and determining disclosable public records, as well as actions to enforce Bagley-Keene Open Meetings Act requirements, may be taken to the superior court.

Status: Vetoed by Governor.

AB 1023 (Rendon) – Public Utilities Commission: proceedings: ex parte communications.

Requires the CPUC to establish and maintain a weekly communications log summarizing all oral or written ex parte communications.

Status: Vetoed by Governor.

SB 18 (Hill, Hueso) – Public Utilities Commission: outside counsel.

Requires any contract entered into by the CPUC for outside legal counsel services to represent it in a criminal investigation to be submitted to the Joint Legislative Budget Committee (JLBC) for review, with specified information, and approved by a vote of the CPUC no sooner than 30 days after the contract has been submitted to the JLBC.

Status: Vetoed by the Governor.

SB 48 (Hill) – Public Utilities Commission.

Proposes a suite of reforms of the governance and operations of the CPUC, including, among others, requiring sessions in Sacramento, applying the Code of Ethics from the Administrative Procedures Act to administrative law judges, clarifying and augmenting the information the CPUC must provide the Legislature in its annual report, and others.

Status: Vetoed by the Governor.

SB 660 (Leno, Hueso) – Public Utilities Commission.

Proposes a suite of reforms of the governance, rules, operations and procedures of the CPUC, including: reform of laws and rules related to ex parte communications, criteria and process for disqualification of commissions to a proceeding, and authorizes the Commission to appoint the chief administrative law judge.

Status: Vetoed by Governor.

Consumer Protection and Low Income Assistance

AB 401 (Dodd) – Low-Income Water Rate Assistance Program.

Requires the State Water Resources Control Board, in collaboration with the State Board of Equalization and stakeholders, to develop a plan for funding and implementing the Low-Income Water Rate Assistance Program.

Status: Signed into law. Chapter 662, Statutes of 2015.

AB 693 (Eggman, Williams) – Multifamily Affordable Housing Solar Roofs Program.

Creates a Multifamily Affordable Housing Solar Roofs Program to provide financial incentives for qualified solar installations at multifamily affordable housing properties funded from IOU's GHG allowances.

Status: Signed into law. Chapter 582, Statutes of 2015.

AB 865 (Alejo) – State Energy Resources Conservation and Development Commission: grants and loans: diversity.

Requires the CEC to develop and implement an outreach program to inform certified women, minorities, disabled veterans, and gay, lesbian, bisexual, and transgender businesses of CEC workshops, training, and funding opportunities.

Status: Signed into law. Chapter 583, Statutes of 2015.

AB 966 (Baker) – California Solar Initiative: ratepayer-funded incentives: conditions.

Requires, as a condition for ratepayer-funded incentives, a ratepayer to submit to the CEC a copy of the building permit required for the installation of the solar energy system, and, if no permit is required, would require the ratepayer to demonstrate that to the CEC.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1022 (Obernolte) – Solar Water Heating and Efficiency Act of 2007.

Repeals the substantive requirements of the Solar Water Heating and Efficiency Act of 2007, prohibits any additional moneys from being collected from ratepayers to fund the Act after December 31, 2015, and makes additional changes relating to loan repayment and disbursement of funds relating to the Act.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1331 (Obernolte) – California Alternate Rates for Energy program: income verification.

Provides that a participant in the California Alternate Rates for Energy (CARE) program is permanently barred from participation from self-certified enrollment if that participant fails to respond to a request to verify income.

Status: Assembly-In Committee Process – Utilities and Commerce.

Distributed Generation

AB 674 (Mullin) – Electricity: distributed generation.

Exempts customers served by clean distributed energy sources from nonbypassable charges imposed on IOU customers to fund public purpose programs, energy crisis contracts, and nuclear decommissioning costs.

Status: Assembly-In Committee Process – Appropriations.

AB 1132 (Ting) – Distributed generation: report: green workforce training programs.

Requires the CPUC to submit an annual report on distributed generation to the Legislature and to include an evaluation of the current use of green workforce training programs related to distributed generation.

Status: Assembly-In Committee Process – Appropriations.

SB 286 (Hertzberg) – Electricity: direct transactions.

Requires the CPUC to allow individual retail nonresidential end-use customers to contract directly for their electricity supplies, also known as direct access.

Status: Assembly-In Committee Process – Appropriations.

Electricity and Electricity Rates

AB 568 (Dodd) – Reclamation District No. 108: hydroelectric power.

Allows Reclamation District No. 108, on the western edge of the Sacramento River, to construct and operate a hydroelectric powerplant and transmission lines.

Status: Signed into law. Chapter 134, Statutes of 2015.

AB 1180 (Cristina Garcia) – Rates and charges for electric, gas, and water service: credit or debit card payment.

Deletes the express authorization for an electrical, gas, or water corporation to offer credit card and debit card bill payment options, if approved by the CPUC, and, upon approval, recover reasonable transaction costs incurred by the electrical, gas, or water corporation from those customers that choose to pay by those payment options.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1334 (Quirk) – Public utilities: research and development projects.

Requires findings supporting a decision to approve the inclusion of expenses incurred for research and development projects or programs in electricity rates be informed by independent expert review.

Status: Assembly-In Committee Process – Utilities and Commerce.

SB 793 (Wolk) – Green Tariff Shared Renewables Program.

Requires an IOU that offers a Green Tariff Shared Renewables Program to permit a participating customer to subscribe to the program and be provided with a nonbinding estimate of reasonably anticipated bill credits and bill charges, as determined by the CPUC, for a period of up to 20 years.

Status: Signed into law. Chapter 237, Statutes of 2015.

Energy Policy (rate, design, economic development rates)

AB 197 (Eduardo Garcia) – Public utilities: renewable resources.

Modifies the Renewable Portfolio Standard procurement process to require consideration of the statutory GHG emissions limit and grid reliability.

Status: Senate-In Committee Process – Appropriations.

AB 645 (Williams, Rendon) – Electricity: California Renewables Portfolio Standard.

Increases the Renewable Portfolio Standard target to require that 50% of electricity come from renewable energy resources by 2030.

Status: Senate-In Committee Process – Appropriations.

AB 1144 (Rendon) – California Renewables Portfolio Standard Program: unbundled renewable energy credits.

Alters the Renewable Portfolio Standard by modifying the electricity product content categories so that unbundled renewable energy credits count in category one if the electricity is generated by an entity other than an electrical corporation and used by a wastewater treatment facility that is owned by a public entity and first put into service on or after January 1, 2016.

Status: Senate-In Committee Process – Appropriations.

AB 1150 (Levine) – Energy: University of California partnership.

Requires the University of California and the California State University, in consultation with the CEC and the CPUC, to expand their existing institutional partnership with IOUs and to include those publicly-owned utilities requested by the CEC to participate and who choose to participate.

Status: Signed into law. Chapter 597, Statutes of 2015.

SB 350 (De León, Leno) – Clean Energy and Pollution Reduction Act of 2015.

Enacts the “Clean Energy and Pollution Reduction Act of 2015” and establishes targets to increase retail sales of renewable electricity to 50% by 2030, and double the energy efficiency savings in electricity and natural gas end uses by 2030.

Status: Signed into law. Chapter 547, Statutes of 2015.

Miscellaneous

SB 539 (Glazer) – Public property: names: Confederate States of America.

Amended – Content no longer in the jurisdiction of the Committee.

SB 726 (Hueso) – Corporate securities: unlawful conduct.

Amended – Content no longer in the jurisdiction of the Committee.

SCR 48 – (McGuire, Hueso) – Geothermal Awareness Month and Geothermal Awareness Day.

Recognizes the month of May 2015 as Geothermal Awareness Month, and May 21, 2015, as Geothermal Awareness Day.

Status: Signed into Law. Res. Chapter 72, Statutes of 2015.

Renewable Energy and Energy Efficiency

AB 197 (Eduardo Garcia) – Public utilities: renewable resources.

Modifies the Renewable Portfolio Standard procurement process to require consideration of the statutory GHG emissions limit and grid reliability.

Status: Senate-In Committee Process – Appropriations.

AB 213 (Ridley-Thomas) – Energy efficiency: light emitting diode lighting products.

Prohibits the CEC from adopting a CRI value greater than the CRI value set forth in the United States Environmental Protection Agency ENERGY STAR program as a part of energy efficiency standards for lighting products, unless the CEC makes certain findings.

Status: Assembly-Died – Utilities and Commerce.

AB 577 (Bonilla) – Biomethane: grant program.

Requires the CEC to develop and implement a grant program for projects related to biomethane production.

Status: Senate-In Committee Process – Rules.

AB 590 (Dahle, Salas) – Greenhouse Gas Reduction Fund.

Allows moneys from the Greenhouse Gas Reduction Fund to be used by the CEC to maintain the current level of biomass power generation and geothermal energy generation in the state and to revitalize currently idle facilities in strategically located regions.

Status: Senate-In Committee Process – Appropriations.

AB 793 (Quirk) – Energy efficiency.

Requires electrical corporations to develop and implement educational plans and incentive programs for customers to control their electricity use and acquire energy management technology.

Status: Signed into law. Chapter 589, Statutes of 2015.

AB 802 (Williams) – Energy efficiency.

Requires the CPUC to authorize electrical corporations or gas corporations - IOUs - to provide incentives and assistance for measures to conform a building to CEC's energy efficiency standards for existing buildings and to allow IOUs to recover in rates the reasonable costs of those incentives and assistance.

Status: Signed into law. Chapter 590, Statutes of 2015.

AB 1013 (Quirk) – Energy: public domain computer program: home energy rating.

Requires the CEC to approve and make publicly available a public domain computer program that reflects adopted or updated building standards and has been tested and updated to improve accuracy for use on single-family and multifamily residential dwellings.

Status: Senate-In Committee Process – Appropriations.

AB 1094 (Williams) – Energy usage: plug-in equipment.

Requires the CEC, in consultation with the CPUC, to conduct an analysis of energy consumption by plug-in equipment and develop an implementation plan to achieve specified energy efficiency targets.

Status: Assembly-In Committee Process – Appropriations.

AB 1330 (Bloom) – Energy Efficiency Resource Standard Act.

Requires the CPUC, by June 30, 2018, in consultation with the CEC, electrical corporations, local publicly-owned electric utilities, and community choice aggregators to establish an annual goal for demand response.

Status: Senate-In Floor Process.

AB 1333 (Quirk) -Energy efficiency programs.

Requires electric and gas corporations and local publicly-owned electric and gas utilities to require recipients of rebates or incentives from their residential or commercial energy efficiency or weatherization programs to install demand response infrastructure on the property for which the rebates or incentives are provided.

Status: Assembly-In Committee Process – Utilities and Commerce.

SB 502 (Leno) – San Francisco Bay Area Rapid Transit District: purchase and delivery of electricity.

Authorizes the San Francisco Bay Area Rapid Transit District to purchase electricity generated by a renewable energy resource.

Status: Signed into law. Chapter 146, Statutes of 2015.

SB 765 (Wolk) – Energy: California Market Transformation Administrator.

Requires the CPUC to contract with an independent entity, to be known as the California Market Transformation Administrator, to coordinate the state’s energy efficiency market transformation activities.

Status: Assembly-In Committee Process – Appropriations.

Safety

AB 361 (Achadjian) – Nuclear powerplants.

Extends the sunset date for the Nuclear Planning Assessment Special Account from July 1, 2019, to August 26, 2025, to continue funding emergency service programs and planning activities for the Diablo Canyon Power Plant in San Luis Obispo County. In addition, requires the CPUC to convene, or continue, until August 26, 2025, an independent peer review panel to conduct an independent review of enhanced seismic studies and surveys of the Diablo Canyon Units 1 and 2 powerplant, including the surrounding areas of the facility and areas of nuclear waste storage, as defined.

Status: Signed into law. Chapter 399, Statutes of 2015.

AB 853 (Roger Hernández) – Electrical and gas corporations: security of plant and facilities.

Requires an IOU to utilize employees of the utility for any work associated with the design, engineering, and operation of its nuclear, electrical, and gas infrastructure, unless the utility has prior approval from the CPUC to contract out that work.

Status: Senate-In Floor Process.

AB 1453 (Rendon) - Electrical corporations: underground electrical facilities: worker safety.

Requires the CPUC to adopt a rule regulating work performed in underground electrical facilities by electrical corporations that is consistent with certain worker safety protections.

Status: Senate-In Committee Process – Energy, Utilities and Communications.

SB 119 (Hill) – Protection of subsurface installations.

The Dig Safe Act of 2015 modifies laws governing excavations near subsurface installations.

Status: Vetoed by the Governor.

Telecommunications

AB 238 (Mark Stone) – Telecommunications: California Advanced Services Fund.

Defines “broadband” for purposes of these provisions as advanced telecommunication services with specified advertised-speeds and would authorize the CPUC to revise the definition. Makes projects that provide last-mile broadband access solely to households that are underserved also eligible for funding. Eliminates the requirement that the infrastructure projects be for unserved households or businesses, for entities that are local governments.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1262 (Wood) - Telecommunications: universal service: California Advanced Services Fund.

Reallocates funding among two accounts within the California Advanced Services Fund for purposes of encouraging broadband deployment in the state resulting in a reduction of \$5 million from the Broadband Infrastructure Revolving Loan Account and a corresponding increase to the Rural and Urban Regional Broadband Consortia Grant Account.

Status: Signed into law. Chapter 242, Statutes of 2015.

AB 1503 (Perea) - Telecommunications universal service programs: teleconnect fund.

Requires the Public Utilities Commission to include auxiliary organizations of the California State University system in the California Teleconnect Fund discount program.

Status: Assembly-In Committee Process – Appropriations.

Transportation Services and Rail

AB 24 (Nazarian) – Transportation network companies: public safety requirements.

Places new safety-related operating requirements on TNCs and their drivers.

Status: Assembly-In Committee Process – Appropriations.

AB 828 (Low, Chang) – Vehicles: transportation network companies.

Excludes from the definition of “motor vehicles” any motor vehicle operated in connection with a TNC, under specified conditions.

Status: Senate-In Committee Process – Energy, Utilities and Communications.

AB 886 (Chau) – Transportation service network provider: passenger privacy.

Requires transportation service network providers to adopt certain privacy standards pertaining to a passenger's personally identifiable data.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1005 (Gordon) - Electric vehicles: infrastructure: charging systems.

Makes findings and declarations with respect to electric vehicle charging equipment, and specifies criteria for the CPUC to authorize ratepayer funding for electric vehicle charging infrastructure and equipment.

Status: Assembly-In Committee Process – Utilities and Commerce.

AB 1008 (Quirk) - Public utilities: sale of hydrogen to public as a motor vehicle fuel.

Provides that the ownership or operation of a facility that sells hydrogen at retail to the public for use only as a motor vehicle fuel does not make the corporation or person a public utility solely because of that ownership, operation, or sale.

Status: Signed into law. Chapter 109, Statutes of 2015.

AB 1360 (Ting) - Charter-party carriers of passengers: individual fare exemption.

Allows charter-party carriers of passengers, including TNCs, to charge individual fares rather than a single group fare when providing carpool services.

Status: Senate-In Committee Process – Energy, Utilities and Communications.

AB 1422 (Cooper) - Transportation network companies.

Requires TNCs to participate in the Department of Motor Vehicles Employer Pull Notice System.

Status: Signed into law. Chapter 791, Statutes of 2015.

SB 541 Hill – Public Utilities Commission: for-hire transportation carriers: enforcement.

Codifies recommendations from the State Auditor's report on strengthening the CPUC's oversight of transportation-related activities of household good and charter-party carriers. Requires the CPUC to hire an independent entity to assess the agency's capabilities, in consultation with carrier trade associations, related to specific goals and report its findings to the Legislature. This bill also expands enforcement authority to other peace officers beyond just the California Highway Patrol.

Status: Signed into law. Chapter 718, Statutes of 2015.

SB 697 (Hertzberg) – Public Utilities Commission Accountability Act of 2015: reports: audits: electrical restructuring: charter-party carriers of passengers.

Repeals the requirement of the CPUC to issue a decal to charter-party carriers of passengers, extends the sunset date by one year on the CPUC's authority to issue financing orders, allows for the electronic filing of legislative reports, and makes additional codifying and technical changes to the Public Utilities Code related to reporting requirements.

Status: Signed into law. Chapter 612, Statutes of 2015.